

## Policy 7.01 Plan and Progress Report

Annual Timeframe: July 1, 2015 to June 30, 2016

### Region 1 / Spokane DCS

#### Kalispel Tribe

**Meeting:** March 24, 2015 10:00AM at 934 S. Garfield Rd, Airway Heights, WA 99001

**In Attendance:** Shannon Thomas (Kalispel Staff Attorney), Rachelle Morrill (Kalispel Paralegal), Lisa Guzman (Camas Path Health Care Administrator), Angela Mello (Camas Path Behavioral Health Clinical Director), Daryl Toulou (WA Office of Indian Policy), Mark Swenson (WA DCS District Manager), Randy Rudin (WA DCS Program Manager), Mark Alexander (WA DCS Tribal Team Supervisor), Steven Elijah (WA DCS Tribal Claims Officer / Attorney), Glenn Tunick (WA DCS Tribal Team Leadworker)

Implementation Plan				Progress Report
(1) Goals/Objectives	(2) Activities	(3) Expected Outcome	(4) Lead Staff and Target Date	(5) Status Update for the Fiscal Year
Update Formal Child Support Agreement Between DCS and Tribe.	Review provisions of 2003 Child Support Agreement Between DCS and Tribe and revise and update as mutually agreed upon.	Mutually agreed upon Updated Child Support Agreement Between Tribe and DCS.	Shannon Thomas, Steven Elijah, Glenn Tunick  June 30, 2016	DCS policy largely conforms with the Tribe's jurisdictional perspective. All members, regardless of residential location, are subject to the jurisdiction of the Kalispel Tribal Court. DCS placed the files of all known Kalispel members in a specialized caseload maintained in the Spokane Field Office. A copy of the specific criteria used to identify these cases is attached for reference .  No changes to the formal agreement were made at this time.
Assure opportunity for Court to order customary, traditional and in-kind support by non-custodial parent, in lieu of, or in addition to cash support, in all child support cases before	In any DCS case before Kalispel Tribal Court, DCS will raise the issue of whether in-kind or traditional or customary support should be ordered by the Court either in lieu of, or as a credit toward, cash support. It is appropriate to reference	DCS and Tribal staff will work with the parents, as appropriate to discuss application of traditional, in-kind and/or customary support in lieu of cash support. .	Shannon Thomas, Steven Elijah  June 30, 2016	DCS is appearing through attorney Steven Elijah. Customary, traditional and in-kind support by non-custodial parent, in lieu of, or in addition to cash support is an option and can be addressed in all child support cases before the Kalispel Tribal Court.

the Court involving DCS as a party.	customary and traditional support in the petition to establish child support.			
Continue Implementation of 2003 DCS/Tribal Agreement on Child Support	DCS to continue to bring cases to Kalispel Tribal Court, as provided under 2003 Child Support Agreement Between DCS and Tribe; Tribe to provide hearing time on the Kalispel Tribal Court Civil Docket to address cases brought by DCS, as well as cases brought by members as set forth in the Agreement.	Kalispel Tribal Court provide hearing time on civil court docket approximately once a month at Cusick (with respect to parties living on or near the Reservation) and/or at Airway Heights as needed to address child support issues as requested by Tribal members and DCS.  DCS to ensure that language in the Motion to Intervene reflects the intent of the Kalispel Tribal Code.	Shannon Thomas, Steven Elijah  June 30, 2016	DCS is appearing through attorney Steven Elijah. Both Steven Elijah and Shannon Thomas agree that this process is going well.
Provide opportunity for parents involved in ICWA cases to have cases jointly staffed to address and take into consideration other requirements including addressing TANF requirements.	DCS and Tribe to work together for setting paternity and child support issues in coordination with ICW Cases as appropriate.	Better coordination of services allowing parents to focus on issues that promulgated the dependency.	Shannon Thomas, Wendy Thomas, Steven Elijah, Glenn Tunick  June 30, 2016	Court clerk sets concurrent hearings for ICWA and child support issues. DCS may not be aware of all Kalispel members involved with DCFS. Shannon Thomas and Steven Elijah discuss these issues as needed. Wendy Thomas and/or Glenn Tunick are available and can be included in these discussions if the need presents.
Provide opportunity for hearing in Kalispel Tribal Court on Charge-off of State Owed Child Support Arrearages for all Kalispel Tribal NCPs	DCS staff are prepared to discuss potential charge-off of state owed arrears in every hearing. No charge-off requests are currently pending and none were made in the last 24 months.	All Kalispel members in DCS caseload have reasonable opportunity for hearing and decision by Kalispel Tribal Court on charge-off of some or all of child support arrearages owed to State of Washington.	Shannon Thomas, Steven Elijah, Glenn Tunick  June 30, 2016	DCS staff are prepared to discuss potential charge-off of state owed arrears in every hearing. No charge-off requests are currently pending and none were made in the last 24 months.

Provide outreach opportunities for DCS staff to become better known by members and Tribal employees and improve members' and Tribal employees' knowledge of child support and paternity services available from DCS and at Kalispel Tribal Court.	Tribe and DCS Spokane to mutually arrange for DCS to attend outreach opportunities as they arise. A regular schedule and pre-planned events will help to better meet the needs of members.	Kalispel Tribal members and employees of Northern Quest Casino become well-informed as to actions they can take in their child support cases. DCS can also provide information Kalispel members unfamiliar with the services offered by DCS.	Shannon Thomas, Glenn Tunick  June 30, 2016	In the last 27 months DCS has not done any outreach. Glenn Tunick is in the process of coordinating outreach with the payroll office at Northern Quest in Airway Heights. Shannon Thomas will have discussions with the HR department regarding a possible outreach opportunity at the benefit fair held on the reservation.
Post information to Tribe's Website and/or the Tribal Court website about child support and paternity services available to members. New employees receive opportunity to voluntarily pay a child support obligation through information contained in the new employee orientation packet.	DCS provided copies of additional forms (Assignment of Earnings – Child Support <i>DSHS Form 09-836</i> is already posted and available to new employees) which may be beneficial to Kalispel Tribal members. The forms provided included: <ul style="list-style-type: none"> <li>• Application for Nonassistance Support Enforcement Services</li> <li>• Noncustodial Parent Child Support Enforcement Application</li> <li>• Request for Conference Board</li> <li>• Petition for Modification – WA Administrative Order</li> <li>• WA Court Child Support Order Review Request</li> </ul>	Members and Northern Quest employees can readily access information at Tribe's website regarding child support and paternity services available at Kalispel Tribal Court and the appropriate persons and contact information to assist them.	Lisa Guzman, Glenn Tunick  June 30, 2014	Information has been posted. Lisa Guzman advised that the Kalispel Tribe is in the process of revamping their website to provide additional information and resources. Glenn Tunick is able to provide PDF versions of the paper forms given today as well as links to other resources that may be of interest as needed.

DCS to act as liaison to out of state child support agencies that attempt direct wage withholding against tribal employees	Kalispel staff will forward wage withholding packets to DCS. DCS will contact the initiator.	Out of state agencies can make requests via WA DCS for wage withholding though the established state/tribal process per 2003 agreement	Shannon Thomas, Glenn Tunick  June 30, 2016	The Tribe receives several payroll requests monthly, many of which are from DCS. The balance coming from out of state. DCS will continue to process these and when reporting to other agencies DCS will restrict information to only those sources DCS can electronically access.
Pursuant to the current agreement, provide a process for the Tribe to ask DCS to pursue paternity establishment where the parties are subject to, or consent to, Tribal Court Jurisdiction.	DCS and Tribe work together to address outstanding cases and develop procedures for paternity establishment.	Faster establishment of paternity in compliance with Tribal and Federal requirements.	Shannon Thomas, Steven Elijah  June 30, 2016	Existing protocols are working.
Develop protocol for DCS to notify the Tribe, as soon as possible, when a paternity case is opened anywhere in Washington state by DCS which involves a child who may be enrollable as a Kalispel Tribal member and ensure necessary Tribal requirements are met.	DCS to routinely identify, as soon as possible, those paternity cases opened by DCS anywhere in Washington state which may involve a child who may be enrollable in the Tribe, and DCS to work with the Tribe to develop a protocol for notifying the Tribe of such cases as soon as possible, and to cooperate with the Tribe on such cases.	Tribe and DCS reach a new agreed upon protocol, under which the Tribe receives timely notification of a paternity case opened by DCS where the child is potentially enrollable in the Tribe and the Tribe has opportunity to advise mother and possible father(s) regarding possible consequences of further DCS actions, whether paternity establishment and child support issues can be addressed in Kalispel Tribal Court, and whether the Tribe and DCS can cooperate on paternity and child support establishment in Kalispel Tribal Court.	Shannon Thomas, Glenn Tunick  March 2015 June 2015 September 2015 December 2015 March 2016 June 30, 2016	Glenn Tunick conducted a search the week of March 23 <sup>rd</sup> and will do so at least quarterly to insure that Tribal cases involving Kalispel members and employees are properly assigned.

Locate information would be made available for ICW cases.	<p>Access to SEMS Web directly is limited to IV-A and IV-D agencies.</p> <p>The Kalispel ICW Program staff can currently obtain any needed information through DSHS Children's Administration (CA) contacts.</p>	<p>Case Information has not been requested from DCS in recent years.</p> <p>DCS is able to provide locate information to CA.</p>	<p>Shannon Thomas, Mark Swenson, Glenn Tunick</p> <p>May 2015 June 30, 2016</p>	Existing protocols are working.
The Kalispel Tribe is looking for ways to encourage greater parental responsibility and participation in ICW cases.	Kalispel is reviewing their children and family services program to see if an internal process can be developed to hold Tribal members responsible for some of the expenses related to ICW services and to meet certain specific needs of the children.	The Tribe is looking at financial responsibilities that would differ from the Foster Care expenses currently enforced by DCS.	<p>Shannon Thomas, Glenn Tunick</p> <p>May 2015 June 30, 2016</p>	The Tribe will continue to work on this internal process. DCS appreciates the information and the efforts being made by the Tribe.
Communicate in the most efficient and beneficial way possible.	DCS and Tribe will exchange best contact information. DCS will also provide a list of links to additional information available on the web that may be of use to the Tribe.	Tribal members, Tribal staff and DCS will communicate efficiently and effectively.	<p>Shannon Thomas, Mark Swenson, Glenn Tunick</p> <p>May 2015 June 30, 2016</p>	<p>DCS will provide best contact information and will continue to use the secure email system to protect client confidentiality.</p> <p>DCS will provide a list of Kalispel cases to Shannon Thomas when requested.</p>

In DCS, a Tribal Unit case is one in which **one or more** of the following exists:

- A noncustodial parent (NCP) who is a member of a federally recognized Washington tribe.
- An NCP who is employed by the tribe, a tribal enterprise, or an Indian owned business located on a reservation or trust land.
- A party included under a cooperative child support process or agreement.
- A party receiving services from:
  - A Tribal TANF (Temporary Assistance for Needy Families) program.
  - A Tribal IV-D program.
  - Both Tribal TANF and Tribal IV-D programs.
- A case involving other tribal issues. Consult your local Tribal Liaison or Tribal Claims Officer.
  - **For example:** A local field office may define tribal cases as a case:
    - Associated with a Tribal TANF case,
    - Involving any NCP living on a reservation, or
    - Involving a party who filed a child support action in Tribal Court.

In the Spokane Office, DCS has created a specialized caseload managed by Glenn Tunick with the following criteria:

- All NCP's and/or joint noncustodial parents (JNCP) Kalispel Tribal members.
- NCP's and/or JNCP's working for the Kalispel Tribe, tribal business or enterprise.
- All paternity/order establishment cases if either the NCP / CP are Kalispel Tribal members.
- All NCP cases related to one of the above criteria.

NCP = Non Custodial Parent, the person paying child support

JNCP = Joint Non Custodial Parent, the spouse of the NCP and other biological parent of the child

CP = Custodial Parent, the person receiving child support